

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

PATRICIA MENDEZ,	)	
	)	
Plaintiff,	)	
	)	Case No. 08 C 1216
v.	)	Judge Shadur
	)	Presiding
SIEBERT GROUP 1, LLC-S.G. SERIES 4, et al.	)	
	)	
Defendants.	)	

**AFFIDAVIT**

I, Elizabeth Newkirk Jahoda, being first duly sworn under oath, state as follows:

1. I am an attorney representing Ms. Mendez in this action.
2. On January 24, 2008, I filed a multi-count chancery complaint in DuPage County Court on behalf of Ms. Mendez seeking, among other things, to quiet title to her home. The complaint alleges the existence of an equitable mortgage, violations of federal and state law, and a breach of fiduciary duty by Mr. Ischkum.
3. On January 25, 2008, Mr. Ischkum filed a complaint in forcible entry and detainer in DuPage County Court against Ms. Mendez.
4. On February 20, 2008, the forcible entry and detainer court granted Ms. Mendez's Motion to Transfer the Case for Purposes of Consolidation.
5. On February 22, 2008, I filed a Motion to Consolidate the forcible entry and detainer action with the chancery action.
6. On February 28, 2008, defendants in the chancery action removed the case to this Court before the hearing on the Motion to Consolidate.
7. This court has denied two motions to dismiss filed by defendants.
8. On March 26, 2008, the judge in the DuPage County case granted a stay of the eviction action pending resolution of the case in federal court and Ms. Mendez was ordered to pay use and occupancy.
9. Ms. Mendez was unable to pay use and occupancy, so the judge in the forcible entry and

detainer case set the case for trial on June 17, 2008.

10. Ms. Mendez's defense in the forcible action will be based on her claim of ownership of the property. Her defense will be based on the facts and issues raised in her complaint, which are now pending in this Court.

The foregoing is true and accurate and I would so testify if called upon to do so in a court of law.



Elizabeth Newkirk Jahoda, One of  
the attorneys for Patricia Mendez

SUBSCRIBED AND SWORN to  
before me this 12<sup>th</sup> day  
of June, 2008.

  
NOTARY PUBLIC

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